

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAURICE W. HOOKER,

Petitioner,

v.

M. SPEARMAN, Acting Warden

Respondent.

Case No. 11-cv-01652-SBA (PR)

**ORDER DENYING LEAVE TO  
PROCEED IN FORMA PAUPERIS  
ON APPEAL; AND DENYING  
MOTION FOR APPOINTMENT OF  
COUNSEL ON APPEAL**

Dkts. 16, 17

This matter came before the Court for consideration of Petitioner's pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging his 2008 conviction in the Santa Clara County Superior Court. On July 16, 2014, the Court denied the petition as to all claims. Dkt. 13.

Petitioner has filed a motion for leave to proceed in forma pauperis on appeal. Dkt. 16. He has also filed a motion for appointment of counsel on appeal. Dkt. 17.


In its July 16, 2014 Order, the Court denied a certificate of appealability because Petitioner had not shown that jurists of reason would find this Court's denial of Petitioner's claims debatable or wrong. Slack v. McDaniel, 529 U.S. 473, 484 (2000). For the same reason, Petitioner's appeal is not taken in "good faith" and consequently leave to proceed on appeal in forma pauperis (Dkt. 16) is DENIED. See 28 U.S.C. § 1915(a)(3).

Petitioner's motion for appointment of counsel on appeal should be directed to the Ninth Circuit Court of Appeals. Therefore, the motion is DENIED without prejudice to renewing it there. Dkt. 17.

This Order terminates Docket Nos. 16 and 17.

IT IS SO ORDERED.

Dated: December 30, 2014

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge